



sector

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Alberte, R. and Zimmerman, R.

Atty. Docket No.: PHA-004.01

Serial No: 09/405,269

Filing Date: September 23, 1999

For: *Safe and Effective Biofilm Inhibitory
Compounds and Health-Related Uses Thereof*

ATTN: Box Missing Parts
Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

November 17, 1999
Date of Signature
and of Mail Deposit

By Carmen Parra
Carmen Parra

FEE TRANSMITTAL AND RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir/Madam:

Responsive to the Notice to File Missing Parts of Application dated October 15, 1999, Applicants' attorney submits herewith one executed Declaration/Power of Attorney, one executed Verified Statement Claiming Small Entity Status, and a check in the amount of **\$1,057.00** to cover the cost of the small entity filing fee and extra claim fee (\$992.00); and the late filing surcharge/small entity (\$65.00). A copy of Form PTO-1533 is also enclosed.

The filing fee has been calculated as shown below:

			SMALL ENTITY		OTHER THAN SMALL ENTITY	
	# FILED	# EXTRA	Rate	FEE	Rate	FEE
BASIC FEE			\$380	380.00	\$760	
TOTAL CLAIMS	88 - 20 =	68	x \$9	612.00	x \$18	
INDEP. CLAIMS	3 - 3 =		x \$39		x \$78	
[] MULTIPLE DEP.	CLAIMS PRESENTED		\$130		\$260	
			TOTAL:	992.00		

- [X] A check in the amount of \$1,057.00 to cover the filing fee (\$992.00) and the small entity surcharge (\$65.00) is enclosed.
- [X] Please charge any additional fees or credit any overpayments associated with this communication to our Deposit Account No. **06-1448**. A duplicate copy of this sheet is enclosed.

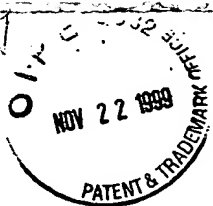
Respectfully submitted,
FOLEY, HOAG & ELIOT LLP



Beth E. Arnold
Registration No. 35,430
Attorney for Applicants

Date: November 17, 1999

Patent Group
FOLEY, HOAG & ELIOT LLP
One Post Office Square
Boston, MA 02109
(617) 832-1000



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

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Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/405,269	09/23/99	ALBERTE	R PHA-004.01

PATENT GROUP
FOLEY HOAG & ELIOT LLP
ONE POST OFFICE SQUARE
BOSTON MA 02109-2170

0212/1015

Resp to MP
12-15-99
5-15-00

NOT ASSIGNED

1714

DATE MAILED:

10/15/99

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☐ non-small entity is \$ 2,096.00.

☒ 1. The statutory basic filing fee is:

- ☒ missing.
☐ insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ 1,206 for 67 total claims over 20.

\$ _____ for _____ independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required. ☒ ce your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Everett Williams

Customer Service Center
Initial Patent Examination Division (703) 308-1202

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11/24/1999 RHARHOL 000000039 0940529
360.00 OP
65.00 OP
612.00 OP
01 30:201
02 30:205
03 30:203
GPO: 1999-448-824